

# Buchanan

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April 11, 2025

**VIA CM/ECF**

The Honorable John G. Koeltl  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007-1312

**APPLICATION GRANTED  
SO ORDERED**

4/14/25   
John G. Koeltl, U.S.D.J.

**Re: Yipit LLC d/b/a YipitData v. Emmett et al; 1:24-cv-07854 (JGK)(RFT)**

Dear Judge Koeltl:

We represent M Science and Michael Marrale in the above matter. Today, we will be filing a Motion for Leave to file a Sur-Reply and accompanying Sur-reply on behalf of M Science in opposition to Yipit's motion for a preliminary injunction. We write now, pursuant to Paragraph VII(A)(2) of Your Honor's Individual Practices (dated March 17, 2025), to request that the Court accept M Science's filings in both redacted and sealed/unredacted forms, with the latter including highlights to show the information redacted from the publicly-filed documents as required. In addition, we request that the sealed/unredacted versions of M Science's filings be given a Viewing Level that only permits the Parties to this action to view the filings which, at present, we understand is set not to include Defendant Zachary Emmett who is pro se.

The reason for M Science's request to file its papers in both redacted and sealed/unredacted forms is that it is Yipit's position that at least some of the information to be included in M Science's filings constitute the "names and identifying information of several of Yipit's investor customers, whose identities must remain confidential in order to protect the customers' competitive interest in safeguarding the sources of their information." See Dkt. No. 161.

By making this application, M Science does not concede or agree that the information contained in the filings, or any portion thereof, is confidential or proprietary to Yipit. However, M Science acknowledges that the resolution of the parties' disagreement over this central issue remains outstanding. And, because M Science must defend against Yipit's injunction motion by referencing certain information that Yipit has asserted trade secret protection over, we respectfully request that the Court issue an order allowing M Science to file its papers in both redacted and sealed/unredacted forms to avoid any dispute with Yipit over this issue.

Hon. John G. Koeltl  
United States District Judge  
Southern District of New York  
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Respectfully yours,

A handwritten signature in black ink, appearing to read 'AJS', with a long horizontal flourish extending to the right.

Andrew J. Shapren